

#### **DETAILED ACTION**

Applicant appeal brief filed 06/07/2010 has been entered. An Appeal conference was held with Supervisor Samir Ahmed ,Supervisor Vikkram Bali and Examiner Nancy Bitar on September 16, 2010. After carefully reviewing the remarks made by applicant with respect to the 103(a) rejection of claims 1-19, examiner found the remarks to be persuasive.

#### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Blair Hoyt on 9/27/2010.

The application has been amended as follows:

**Claim 1(Amended) :** A method for navigating in three-dimensional electronic image data records, the image data records including three-dimensional partial image data records, the method comprising:

optically displaying at least two mutually perpendicular two-dimensional projections of an image data record, at least one of the two projections including at least one two-dimensional partial projection of at least one partial image data record;

optically emphasizing the at least one two-dimensional partial projection;  
functionalizing the at least one optically emphasized partial projection such that the at  
least one optically emphasized partial projection is selectable by a user input;  
receiving a user input directed toward the selection of the at least one  
functionalized partial projection; and  
automatically displacing, as a function of the user input, ~~[the at least one  
projection not including the at least one partial projection in such a way that it includes  
the partial projection]~~ the at least one perpendicular two-dimensional projection not  
including the at least one partial projection wherein, it is displaced into the at least one  
partial projection after displacement.

**Claim 16 (Amended) :** An apparatus for navigating in three-dimensional  
electronic image data records, the image data records including three-dimensional  
partial image data records, the apparatus comprising:

means for optically displaying at least two mutually perpendicular two-  
dimensional projections of an image data record, at least one of the two projections  
including at least one two-dimensional partial projection of at least one partial image  
data record;

means for optically emphasizing the at least one two-dimensional partial  
projection;

means for functionalizing the at least one optically emphasized partial projection such that the at least one optically emphasized partial projection is selectable by a user input;

means for receiving a user input directed toward the selection of the at least one functionalized partial projection; and

means for automatically displacing, as a function of the user input, [the at least one projection not including the at least one partial projection in such a way that it includes the partial projection after displacement]the at least one perpendicular two-dimensional projection not including the at least one partial projection wherein, it is displaced into the at least one partial projection after displacement.

2. The following is an examiner's statement of reasons for allowance:

After reviewing the remarks made by the Applicant in response to the final office action the Examiner finds the remarks to be persuasive. The combination of cited references, Gering et al., A System for Surgical Planning and Guidance using Image Fusion and Interventional MR, hereinafter "Gering," in view of Golland et al., Anatomy Browser: A Novel Approach to Visualization and Integration of Medical Information, hereinafter "Golland," Do not teach or suggest the features of claim or the newly added features. No other found prior art of record teaches or fairly suggests the combination of claimed elements wherein:

*receiving a user input directed toward the selection of the at least one functionalized partial projection; and*

*automatically displacing, as a function of the user input, the at least one perpendicular two-dimensional projection not including the at least one partial projection wherein, it is displaced into the at least one partial projection after displacement .*

The Examiner finds no reason or motivation to combine the above references in an obviousness rejection thus placing the application in condition for allowance.

Any comments considered necessary by applicant must be submitted on later than the payment of the issue fee and to avoid processing delays should preferably accompany the issue fee. Such submissions should be clearly labeled, comments on statement of reasons for allowance.

#### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NANCY BITAR whose telephone number is (571)270-1041. The examiner can normally be reached on Mon-Fri (7:30a.m. to 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vikkram Bali can be reached on 571-272-7415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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